

R E M A R K S

Claims 1-9 are present in the case, .

The invention of the present application provides a unique Facility, building or project having environmental considerations such that the Facility comprises Building Components and Architectural Elements. Building Components are components that are inherently permanent; or components that are necessary for the operation or maintenance of the building. Architectural Elements are elements that are removeable, reuseable, relocatable, decorative or supplemental. The Building Components are analyzed for transforming the Building Components into Architectural Elements such that the Facility is comprised of an increased number of Architectural Elements rather than Building Components. The Building Components and Architectural Elements are put together to define the Facility such that the Facility is built.

Furniture is a movable article in the Facility whereby the furniture is inside of the Facility. After construction, the furniture may be placed into the Facility that was created using the Architectural Elements and the Building Components.

Each Architectural Element is designed such that during construction of the Facility the Architectural Element becomes part of the Facility and is demountable from the Facility. Conversely, furniture is manufactured off-site and may be placed in the Facility after construction.

A Facility is a building, project or product created to serve a particular function or functions, e.g., hospitals and other health care facilities. A Facility is comprised of Building Components and Architectural Elements created to serve a particular function or functions.

With respect to Architectural Elements as discussed in prior prosecution, the characteristics were emphasized such that the true nature of the element was not sufficiently elaborated upon. The present amendment focuses on Architectural Elements having some of the features of furniture, e.g. moveable, relocatable, etc., but Architectural Elements differ from furniture because Architectural Elements are an integral *part of* the Facility, in that Architectural Elements were created during construction, on site, they are attached to the Facility, and they originated from Building Components. On the other hand, furniture is an article that is placed *inside of* the Facility, after construction; it is typically pre-manufactured off-site, and it did not originate from a Building Component. A Facility is nothing more than an assemblage of Architectural Elements and Building Components.

Furniture is a movable article in a room, house, building, facility or space. Of particular importance is that the Furniture is “in” the facility or space. Furniture is either free-standing furniture or systems furniture. Free-standing furniture can be articles such as chairs, desks, credenzas, tables, files, etc. Systems furniture can be articles such as work surfaces, storage units, lights hung on interlocking walls or screen panels, known as panel-hung furniture and full panel-hung furniture as well as modular furniture. See, Salvandy at pp. 1878, 1882 (Reference cited in related application).

The above definition of furniture, as found in Salvandy, is supported by the dictionary definitions of furniture. Particularly, Webster’s New Twentieth Century Dictionary Unabridged, Second Edition-Deluxe defines “furniture” as “the movable things *in* a room, apartment, etc., which equip it for living, as chairs, sofas, tables, beds, etc.”

Still further, the American Heritage Dictionary-Deluxe Third Edition defines “furniture” as “the movable articles in a room or an establishment that make it fit for living or working.”

Applicant appreciates the prior comments of the Examiner with respect to the references cited. As cited in the reference Salvandy at pp. 1878, 1882, studs and sheet rock are “building structure.” Thus, “building structure” is the same as Building Component as defined in the present application. However, the present invention transforms a Building Component to an Architectural Element. See, for example, FIGS. 8 and 9. In FIG. 8, a prior art sink, cabinet and associated plumbing are Building Components because they are part of the building structure which is a part of the Facility. See, FIG. 8 and specification, p. 24, lines 18-22. However, in FIG. 9, the now transformed sink, cabinet and associated plumbing combination has been changed from Building Components into Architectural Elements. Although the Architectural Elements (transformed sink, cabinet and associated plumbing) now have a few similar features as furniture, e.g. movable, they are still constructed on-site during construction as an integral part of, and attached to, the facility, and they are not furniture which is pre-manufactured off-site and set in the Facility or space after construction. See, FIG. 9 and specification, p. 24, lines 23 through p. 25, line 5.

An Architectural Element is designed such that during construction of the Facility the Architectural Element becomes part of the Facility and is detachable from the Facility. Conversely, furniture is manufactured off-site and may be placed *in* the Facility after construction.

Preliminary Amendment

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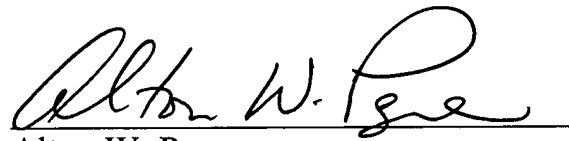
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SUMMARY

In view of the foregoing, it is respectfully submitted that the claims in the present application are allowable. It is believed that this case is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alton W. Payne", written over a horizontal line.

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